

OLYMPIC COAST NATIONAL MARINE SANCTUARY

Meeting Minutes

Sanctuary Advisory Council Meeting
March 17, 2006
Port of Grays Harbor Commission Chamber
Aberdeen, Washington

Olympic Coast National Marine Sanctuary
NOAA, National Marine Sanctuary Program
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Port Angeles, WA 98362-2925
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Reviewed by SAC Secretary

Reviewed by OCNMS Superintendent

Approved by SAC

Olympic Coast National Marine Sanctuary
March 17, 2006

Members Present:

Terrie Klinger, Research (Chair)
Tim Snowden, Hoh Tribe Alternate
Jim Woods, Makah Tribe alternate
Steve Joner, Makah Tribe
Joe Schumacker, Quinault Indian Nation
Jay Burns, Quileute Tribe
John Calambokidis, Research Alternate
Bill Arntz, Conservation
Fan Tsao, Conservative Alternate
Martha Hurd, Washington DNR (Secy.)
Norm Davis, Washington Dept. of Ecology
Rebecca Post, Dept. of Ecology Alternate
Bob Bohlman, Marine Industry
Frank Holmes, Marine Industry Alternate
Hayden Street, U.S. Navy
Gene Woodwick, Education
Teresa Scott, Wash. Dept. of Fish & Wildlife
Mary Lou Mills, Dept. Fish & Wildlife Alt.
Janet Sears, NMFS
Geoff Grillo, Commercial Fishing
Doug Fricke, Commercial Fishing Alt.
Bob Morse, Citizen-at-Large
Diane Schostak, Tourism
David Hudson, Hoh Tribe
Al Carter, Grays Harbor Co. Commissioner

Staff

Carol Bernthal, Superintendent
Andy Palmer, Coordinator
Liam Antrim, MCWG Coord./
Resource Protection Specialist
Cheryl Sinclair, Recording Secretary

Guests/Public Attendees:

Polly Dyer, Olympic Coast Alliance
Jennifer Hagen, NW Indian Fisheries
Gary Nelson, Director Port of Grays Harbor
Marcy Golde
Helmut Golde
Sue Patnude, U.S. Fish & Wildlife

Welcome

Chair Terrie Klinger called the meeting to order at 9:50 a.m. Gary Nelson, Director of Port of Grays Harbor, welcomed OCNMS Advisory Council.

Agenda/Meeting Minutes

Terrie pointed out that two agendas had been mailed and directed members to the agenda to be followed, indicating that endorsement of the coastal cleanup would be addressed under the Superintendent's Report, which does not appear on the agenda. The agenda was approved as modified. Bob Morse **moved** to adopt the minutes of the January 27, 2006 meeting, as

presented. Seconded and **approved**.

Internal Affairs

Terrie introduced new members John Calambokidis, Research Alternate, and Bill Arntz, Conservation member. Terrie recognized and thanked Marcy Golde for the time and effort she put in to the Council over the years, and Carol Bernthal presented Marcy with a framed 10th anniversary photograph. Marcy urged the advisory council to keep up their vigilance on protecting the sanctuary from oil spills and oil development.

Moving to election of officers, Terrie reminded the council that the floor is still open for nominations. After discussion regarding nominations, Bill Arntz **moved** that the current officers be re-elected into their current positions. Seconded by Bob Morse and **approved**. Carol Bernthal administered the oath to new and current members and alternates.

Draft Flowchart Regarding Fishing Regulations in National Marine Sanctuaries

(PowerPoint presentation available upon request): Mary Lou Mills reported on the working group discussions and recommendation that the SAC submit comments on the draft flowchart. She described the process and the comments in the draft letter that the advisory council will consider adopting or commenting on. Much discussion centered on the need to have early coordination between the sanctuary processes and the fisheries council processes to avoid as much as possible conflict later in the process. Some members pointed out that they would like greater emphasis on the tribal consultation process than is presently noted in the draft flowchart. There was also discussion about whether adding fishing regulations to the sanctuary regulations opened up the entire designation document to review. Several members noted the uniqueness of OCNMS, because of the co-management of fishery resources by the state and treaty tribes, that there might be a need for either separate flowchart for this sanctuary or additional steps in the current flowchart. It was recommended the working group address several issues and report back to the SAC for vote via conference call.

Terrie pointed out the comment period closes April 30, and the SAC does not want to miss the opportunity to comment. A conference call was scheduled for **April 17, 2006 at 1:00 p.m.** to vote on proposed revisions to the comment letter. Terrie stressed that a quorum would be needed to vote.

Public Comment: Postponed until afternoon.

Pacific Fisheries Management Council Report: Janet Sears circulated maps of Essential Fish Habitat area, the letter sent to the council on Essential Fish Habitat, and news release the council put out on the krill harvest ban. The krill harvest ban was an idea that developed during the scoping process for the joint management plan of the three northern California sanctuaries. The regional fisheries council considered it and decided that it should be expanded to include all federal waters on the west coast, with the exception of Alaska which had already banned krill fishing in

their waters. Carol Bernthal gave some additional background information, pointing out how the process followed the draft flowchart. Janet reported further on the council's partial approval of Amendment 19 to the Pacific Coast Groundfish Fishery Management Plan and closures of certain areas to particular types of gear, the emphasis being on protecting good habitat rather than restoring inferior habitat. Habitats of Particular Concern were also identified. Teresa Scott explained how some of the areas were determined. Carol Bernthal indicated one of the reasons OCNMS has focused efforts on the habitat mapping program is to help improve the information base in order to make decisions such as these.

Advisory Council Procedures: Andy Palmer circulated a memorandum which referred to the NMSP Advisory Council Implementation Handbook and the language of the charter which set forth the time lines for placing items on the agenda; the procedures to be followed in providing advice to the sanctuary superintendent; and voting procedures (copies of the memorandum are available upon request)

. Terrie explained the Executive Committee's recommendations regarding actionable items for the agenda. In general, there should be a minimum of 15 days advance notice on any actionable items. Time sensitive actions that might emerge within the 15 day window can be brought to the attention of the superintendent and chair who will decide whether to add this to the agenda and will notify members with as much advance notice as possible. Lastly there is an opportunity to add items to the agenda at the beginning of the meeting, but that these additions would have to be approved by the council for consideration at the meeting or postponed to a later meeting. There was a discussion regarding consensus and what constitutes consensus.

Presentation by Martha Hurd, Washington State Department of Natural Resources

(PowerPoint presentation available upon request): Martha gave the history of federal conveyances of uplands, tidelands, shorelands and bedlands to Washington when it became a state in 1889. There are many beneficiaries of revenues from the state timber lands, including counties, University of Washington, WSU, county hospitals, and libraries. Statewide DNR manages about 4500 lease agreements on aquatic lands and manages and protects the environment in cleanup of contaminated sediments in the state, working in nearshore environments, derelict fishing gear removals and removal of creosote logs off the ocean and Puget Sound beaches. Half of the money generated from aquatics programs goes back into the programs DNR manages, and the other half goes into a grant program called the ALEA program, which funds go back to communities to help with restoration projects and public access. DNR is also involved in harbor management planning in the Port Angeles area; in the Sea Breeze and Aqua Energy projects and is looking into geoduck aquaculture projects.

Presentation by Liam Antrim, OCNMS (Aqua Energy): In early 2002 Aqua Energy approached OCNMS with a pilot project to demonstrate the potential for four wave buoys to generate power, to be placed off Hobuck Beach in Makah Bay. Key partners in the project are the Makah Tribal Council and Clallam County PUD. Aqua Energy estimates generating about

1500 megawatt hours annually. A draft environmental assessment is being prepared by the applicant. The sanctuary has concerns about the anchoring system impacts on the sea floor; lack of comparison of at least one alternative site outside the sanctuary; and noise levels, as well as several other major issues which have not been adequately addressed. Currently there is no set time the new draft environmental assessment will be complete.

Superintendent's Report: Carol Bernthal reported on her meetings with the congressional delegation to update them on the sanctuary programs and discuss budget. Because of anticipated low federal budgets next year, Carol suggested the sanctuary may want to look for partnership opportunities and focus on the most important things that need to get done. The sixth annual coastal cleanup will be April 22 and will extend from the southern beaches to the Neah Bay area. Carol suggested there be a resolution that the SAC endorse the cleanup. Bob Morse **moved** that the SAC go on record as supporting the cleanup. **Seconded and approved.** Carol indicated there are plans to continue the habitat mapping program. Habitat surveys are scheduled April 6 to April 18, with side scan sonar. Currently about 22% of the sanctuary has been mapped. A second cruise is scheduled for May 21 through June 4 to identify deep sea corals and sponges and to take samples with a remotely operated vehicle which collects video images as well as physical samples. Also in April is a survey of the fiber optic cable route for potential relocation of the cable. The sanctuary will continue the derelict fishing gear removal this summer. If time permits, the Washington State Ocean Policy Working Group will have a presentation at the May meeting. The Olympic Coast will be hosting a meeting of all sanctuary managers and program leadership in September in Port Angeles.

Public Comment: Polly Dyer of Olympic Coast Alliance commented on the coastal cleanup and reported that Jerry Erickson is a new board member. Peggy Willis is working on an electronic newsletter for OAC. Jim Davis is heading up an oil spill advisory group and has put together a PowerPoint presentation which he has shown to several organizations. One of the OAC subcommittees is studying the effects of acoustics on wildlife and sea life, as well as a group working on the Big Eddy. OAC has some concerns regarding the Aqua Energy project.

Presentation by Bob Bohlman (ATBA): Bob reviewed 2005 ATBA compliance, reflecting compliance in the high 90%. Bob indicated arrangements have been made for the sanctuary to have access to the AIS system so they can do their own policing of traffic in and out of the sanctuary.

Meeting Comments/Future Agenda/Adjourn:

Terrie outlined topics for the May meeting, including:

Ocean Policy Working Group presentation

Department of Ecology - Oil Spill Contingency Plan Rule update

Fan Tsao - informational item

Gene Woodwick - member report

Andy Palmer indicated an orientation will be held for new members and/or current members or alternates who would like to attend.

There will be an emergency meeting via conference call on April 17 at 1:00, with the next regular meeting May 19 at the Ocean Shores Convention Center. Proposed location for the September meeting is the Forks-LaPush area and November in the Neah Bay area.

The meeting adjourned at 3:20 p.m.